

(D) Any slot to be transferred has not become subject to withdrawal under any other provision of this § 93.227.

(e) Persons having slots withdrawn pursuant to paragraph (a) of this section must cease all use of those slots upon receipt of notice from the FAA.

(f) Persons holding slots but not using them pursuant to the provisions of paragraphs (b), (c) and (d) may lease those slots for use by others. A slot obtained in a lottery may not be leased after the expiration of the applicable time period specified in paragraph (b) of this section unless it has been operated for a 2-month period at least 65 percent of the time by the operator which obtained it in the lottery.

(g) This section does not apply to slots used for the operations described in § 93.217(a)(1) except that a U.S. air carrier or commuter operator required to file a report under paragraph (i) of this section shall include all slots operated at the airport, including slots described in § 93.217(a)(1).

(h) Within 30 days after an operator files for protection under the Federal bankruptcy laws, the FAA shall recall any slots of that operator, if—(1) the slots were formerly used for essential air service and (2) the Office of the Secretary of Transportation determines those slots are required to provide substitute essential air service to or from the same points.

(i) Every air carrier and commuter operator or other person holding a slot at a high density airport shall, within 14 days after the last day of the 2-month period beginning January 1, 1986, and every 2 months thereafter, forward, in writing, to the address identified in § 93.221(a)(1), a list of all slots held by the air carrier, commuter operator or other person along with a listing of which air carrier or commuter operator actually operated the slot for each day of the 2-month period. The report shall identify the flight number for which the slot was used and the equipment used, and shall identify the flight as an arrival or departure. The report shall identify any common ownership or control of, by, or with any other carrier as defined in § 93.213(c) of this subpart. The report shall be signed by a senior official of the air carrier or commuter operator.

If the slot is held by an “other person,” the report must be signed by an official representative.

(j) The Chief Counsel of the FAA may waive the requirements of paragraph (a) of this section in the event of a highly unusual and unpredictable condition which is beyond the control of the slot-holder and which exists for a period of 9 or more days. Examples of conditions which could justify waiver under this paragraph are weather conditions which result in the restricted operation of an airport for an extended period of time or the grounding of an aircraft type.

(k) The Chief Counsel of the FAA may, upon request, grant a waiver from the requirements of paragraph (a) of this section for a slot used for the domestic segment of an intercontinental all-cargo flight. To qualify for a waiver, a carrier must operate the slot a substantial percentage of the time and must return the slot to the FAA in advance for the time periods it will not be used.

(l) The FAA will treat as used any slot held by a carrier at a High Density Traffic Airport on Thanksgiving Day, the Friday following Thanksgiving Day, and the period from December 24 through the first Saturday in January.

[Doc. No. 24105, 50 FR 52195, Dec. 20, 1985, as amended by Amdt. 93–52, 51 FR 21718, June 13, 1986; Amdt. 93–65, 57 FR 37315, Aug. 18, 1992; Amdt. 93–71, 59 FR 58771, Nov. 15, 1994]

## Subpart T—Ronald Reagan Washington National Airport Traffic Rules

SOURCE: Docket No. 25143, 51 FR 43587, Dec. 3, 1986; Admt. 93–82, 68 FR 9795, Feb. 28, 2003, unless otherwise noted.

### § 93.251 Applicability.

This subpart prescribes rules applicable to the operation of aircraft to or from Ronald Reagan Washington National Airport.

### § 93.253 Nonstop operations.

No person may operate an aircraft nonstop in air transportation between Ronald Reagan Washington National Airport and another airport that is

more than 1,250 miles away from Ronald Reagan Washington National Airport.

### Subpart U—Special Flight Rules in the Vicinity of Grand Canyon National Park, AZ

SOURCE: Doc. No. 28537, 61 FR 69330, Dec. 31, 1996, unless otherwise noted.

#### § 93.301 Applicability.

This subpart prescribes special operating rules for all persons operating aircraft in the following airspace, designated as the Grand Canyon National Park Special Flight Rules Area: That airspace extending from the surface up to but not including 18,000 feet MSL within an area bounded by a line beginning at Lat. 35°55'12" N., Long. 112°04'05" W.; east to Lat. 35°55'30" N., Long. 111°45'00" W.; to Lat. 35°59'02" N., Long. 111°36'03" W.; north to Lat. 36°15'30" N., Long. 111°36'06" W.; to Lat. 36°24'49" N., Long. 111°47'45" W.; to Lat. 36°52'23" N., Long. 111°33'10" W.; west-northwest to Lat. 36°53'37" N., Long. 111°38'29" W.; southwest to Lat. 36°35'02" N., Long. 111°53'28" W.; to Lat. 36°21'30" N., Long. 112°00'03" W.; west-northwest to Lat. 36°30'30" N., Long. 112°35'59" W.; southwest to Lat. 36°24'46" N., Long. 112°51'10" W., thence west along the boundary of Grand Canyon National Park (GCNP) to Lat. 36°14'08" N., Long. 113°10'07" W.; west-southwest to Lat. 36°09'30" N., Long. 114°03'03" W.; southeast to Lat. 36°05'11" N., Long. 113°58'46" W.; thence south along the boundary of GCNP to Lat. 35°58'23" N., Long. 113°54'14" W.; north to Lat. 36°00'10" N., Long. 113°53'48" W.; northeast to Lat. 36°02'14" N., Long. 113°50'16" W.; to Lat. 36°02'17" N., Long. 113°53'48" W.; northeast to Lat. 36°02'14" N., Long. 113°50'16" W.; to Lat. 36°02'17" N., Long. 113°49'11" W.; southeast to Lat. 36°01'22" N., Long. 113°48'21" W.; to Lat. 35°59'15" N., Long. 113°47'13" W.; to Lat. 35°57'51" N., Long. 113°46'01" W.; to Lat. 35°57'45" N., Long. 113°45'23" W.; southwest to Lat. 35°54'48" N., Long. 113°50'24" W.; southeast to Lat. 35°41'01" N., Long. 113°35'27" W.; thence clockwise via the 4.2-nautical mile radius of the Peach Springs VORTAC to Lat. 36°38'53" N., Long. 113°27'49" W.; northeast to Lat. 35°42'58"

N., Long. 113°10'57" W.; north to Lat. 35°57'51" N., Long. 113°11'06" W.; east to Lat. 35°57'44" N., Long. 112°14'04" W.; thence clockwise via the 4.3-nautical mile radius of the Grand Canyon National Park Airport reference point (Lat. 35°57'08" N., Long. 112°08'49" W.) to the point of origin.

[Doc. No. 5926, 65 FR 17742, Apr. 4, 2000]

#### § 93.303 Definitions.

For the purposes of this subpart:

*Allocation* means authorization to conduct a commercial air tour in the Grand Canyon National Park (GCNP) Special Flight Rules Area (SFRA).

*Commercial air tour* means any flight conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing. If the operator of a flight asserts that the flight is not a commercial air tour, factors that can be considered by the Administrator in making a determination of whether the flight is a commercial air tour include, but are not limited to—

(1) Whether there was a holding out to the public of willingness to conduct a sightseeing flight for compensation or hire;

(2) Whether a narrative was provided that referred to areas or points of interest on the surface;

(3) The area of operation;

(4) The frequency of flights;

(5) The route of flight;

(6) The inclusion of sightseeing flights as part of any travel arrangement package; or

(7) Whether the flight in question would or would not have been canceled based on poor visibility of the surface.

*Commercial Special Flight Rules Area Operation* means any portion of any flight within the Grand Canyon National Park Special Flight Rules Area that is conducted by a certificate holder that has operations specifications authorizing flights within the Grand Canyon National Park Special Flight Rules Area. This term does not include operations conducted under an FAA Form 7711-1, Certificate of Waiver or Authorization. The types of flights covered by this definition are set forth in the "Las Vegas Flight Standards District Office Grand Canyon National Park Special Flight Rules Area Procedures Manual" which is available from